Native

African and Oceanic Art

24 January 2015 - Brussels

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Auction
24 January 2015
15.00

Preview
20 - 23 January 2015
11.00 - 18.00

24 January 2015
10.00 - 12.00

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Summary

Africa
The Seret collection
A Belgian private collection
Oceania
Conditions of sale
Bibliography
Absentee bid form

Africa

01

A Lobi figure

Wood - 23,5 cm
Burkina Faso

Female figure standing on two legs on round base. Nice and ancient patina of use.

Provenance:
Artcurial, Paris. 2 july 2003, lot 143.

€ 800 - 1200

02

A Lobi seated figure
Wood - 18 cm
Burkina Faso

Rare seated Lobi figure
with the arms along the legs.

€ 2000 - 3000

03

A Lobi whistle

Ivory - 16 cm
Burkina Faso

Of geometric shape.

Provenance:
Lucien Van De Velde, Antwerp.
Johan Henau, Antwerp.
Private Collection, Belgium.

€ 2000 - 3000

04

A Dogon half figure

Wood - 21 cm
Mali

Beautiful and abstract figure.
The mastery of the egdes defines great shapes enhanced by a crusted patina suggesting that it has been conceived as a half figure.

Provenance:
Liliane Benziger-Schild, Solothurn, Switzerland.
Adrian Schlag, Brussels.
Private Collection, Switzerland.

€ 8000 -12000

05

A Baga shrine figure

Wood - 90 cm
Guinea-Bissau

Large shrine figure, *Atiol*. Rising from a cylinder base, long neck supporting an abstract head with an elongated beak. Dark greasy patina covering the thin engravings.

Provenance:
George F. Keller (1899-1981), Paris.
Probably Paolo Morigi, Lugano.
Private Collection.

€ 20 000 - 30 000

06

A Sapi Janus figure
Soapstone - 20,5 cm
Liberia

Rare janus head supported
by two cylinders joined
by a round base.

Provenance:
Galerie Pierre Dartevelle, Brussels.
Private Collection, Paris.

€ 5000 - 7000

07

A Bambara mask
Wood - 31 cm
Mali

Ntomo, Used during the initiation
ceremony at harvest time,
the number of horns is related to
the knowledge of a human being,
from two to eight.

€ 2000 - 3000

08

A Lamba figure

Wood - 13 cm
Togo

Of compressed proportion, showing an incredible expressivity and strength.

Provenance:
Olivier Larroque, France.
Private Collection, Switzerland.

€ 4000 - 6000

09

A Baule heddle pulley

Wood - 19 cm
Ivory coast

Decorated by a delicate face and a fine open-work coiffure.

Provenance:
Collected by Mr. Nicaud In Africa and purchased in 1960 in Paris.
Private Collection, France.
Sotheby's, 5 december 2003, Paris, lot 178b.
Private Collection, Paris.

€ 1500 - 2000

10

A Baule heddle pulley

Wood - 23 cm
Ivory coast

Large pulley topped by an abstract face defined by very pure features.

Provenance:
Collected by Mr. Nicaud In Africa and purchased in 1960 in Paris.
Private Collection, France.
Sotheby's, 5 december 2003, Paris, lot 178a.
Private Collection, Paris.

€ 1500 - 2000

11

A Baule seated figure

Wood - 38,5 cm
Ivory coast

Seated on a delicately carved chair, the bent arms resting on the hips give great elements of the tension that cross the figure, from the coiffure to the square base. The ringed neck supports the projecting face showing sober and serene features.

Provenance:
Collection G. Haefeli, Switzerland.
Vente Binoche, 10 October 2005, Paris.
Galerie Ratton-Hourdé, Paris.
Private Collection, Paris.

€ 4000 - 6000

12

An Igbo figure

Wood - 44,5 cm
Nigeria

Ikenga, nice shrine figure representing a abstract animal.

Provenance:
Jacques Kerchache.
Christie's, Collection Jacques Kerchache, 29 October 2008, Paris.

€ 1200 - 1500

13

A Fon figure

Wood - 70 cm
Benin

Boccio, seated female figure covered with magical substances like blood, palm oil, beer and animal parts and give power to their owners.

Provenance:
Private Collection, Belgium.

€ 1000 - 1500

14

A Yoruba ceremonial cup

Wood - 19 cm
Nigeria

Agere Ifa, the cup supported by a dog with two crocodiles at its sides. Two carved and mobile bells hanging from the cup.

€ 600 - 800

15

An Igbo figure
Wood - 112 cm
Nigeria

Large female figure.

Provenance:
Private Collection, France.

€ 3000 - 5000

16

A Chamba figure
Wood and metal - 46 cm
Nigeria

Standing on top of an iron stick.

Provenance:
Martial Bronsin gallery, Brussels.
Didier Claes gallery, Brussels.
Private Collection, Brussels.

€ 800 - 1200

17

A Bamileke royal footbank

Wood - 56 cm
Cameroon

Large base decorated on both sides with zoomorphic patterns. A buffalo head emerging from on of the resting sides. The condition of the wood witnesses a very ancient object.

Provenance:
Private European Collection.

€ 5000 - 7000

18

A Bamileke figure

Wood - 12 cm
Cameroon

Mu po, adorable figure of compressed proportions, the arms resting on a round belly holding its chin.

Provenance:
Dutch Collection, acquired in the 1970's.

€ 5000 - 7000

19

A Punu mask

Wood and pigments - 32,5 cm
Gabon

Very classical mask of the okuyi dance, it represents superbly an ideal of juvenile beauty and its importance in the world of the spirits. It was used during the ceremonies of the mwiri, an important initiation society. They appear during the community rituals and had an assertive fonction in the existence of the world of the deceased.

The mask expresses a profound impression of introspection. The very refined lips shape a slightly pouting mouth. It presents three important patterns of scarifications on the forehead and on the temples.

Its state, very close to its original condition, shows traces of use and variations in the patina due to oxydation, the nuances given by a natural and healthy process of aging.

Masks of this classicism are rarely presented. Still, it can be compared to the mask presented by Sotheby's in December 2009 belonging the collection of colonel Marie-René Collignon (1885-1935).

Provenance:
Collected by a french colonial in the 1920's, by descent through the family.

€ 30 000 - 40 000

20

A Kongo figure
Ivory - 6 cm
D.R. Congo

Seated figure, legs crossed with hands joined in position of pray. Carved in the Loango tradition.

€ 2000 - 3000

21

A Kota reliquary figure

Wood, copper and brass - 63,5 cm
Gabon

Mbulu-ngulu ancestor effigy from the Kota Obamba on the left hand side of the Ogoué river. Its classical shape is defined by an oval shaped face covered by a cross pattern surrounded by parallel brass strips in accordance with the original tradition.

Provenance:
Brought back at the beginning of the 20th century by a French administrator.
By descent through the family.

€ 8000 - 12 000

22

A Kota reliquary figure

Wood and brass - 59,5 cm
Gabon

Rare kota reliquary figure. Structured like the typical reliquaries, this example shows am important influence from the people close to the coastal area like the *Mitsogho*, *Masango* or the *Bavuvi* people.

For a similar exemple see: Metropolitan Museum, The Michael C. Rockefeller Memorial Collection,ascession number: 1979.206.129

Provenance:
Collected by a french colonial in the 1920's, by descent through the family.

€ 6000 - 8000

23

A Kongo figure

Wood and glass - 26 cm
D.R. Congo

Nkisi, standing on the legs, the head slightly inclined. Beautiful face with large eyes made of glass.

Provenance:
Galerie Pierre Dartevelle, Brussels.
Private Collection, Belgium.

€ 6000 - 8000

24

A Teke Janus figure

Wood - 33,5 cm
R. Congo

Rare janus Teke figure. A hole on each face of the torso used to hold a magical charge. The scarifications cover the two bearded faces except the forehead.

Provenance:
Sotheby Parke Bernet, New York,
8 November 1972. Lot 161.
Sotheby's, New York,
10 November 1987. Lot 65.
Private Collection Belgium.

€ 4000 - 6000

25

A Luba caryatid chair

Wood - 56 cm
D.R. Congo

Emerging from a semi-spherical base, the large torso covered by scarifications hold the cushion with bent raised arms and the head. Important remains of kaolin due to an intense ritual use.

The chair belongs to a group of objects identified as the Mwanza workshop, active before the 1920's.

Provenance:
Galerie Pierre Dartevelle, Brussels.
Galerie John Giltsof.
Collection Jean-Paul Agogué, France.
Private Collection, Belgium.

€ 20 000 - 30 000

26

A Songye figure

Wood and metal - 74 cm
D.R. Congo

Nkisi, the figure depicts most of the features of the Kalebwe style described by Neyt, almond-shape eyes, large neck, massive shoulders, bulbuous belly with protruding umbilicus, bent legs, angular buttocks and the feet melted in the large base. The back is composed by two large cylinders.

The brass plates and the nails enhaced the powerful impression inspired by the general appearance of the figure. These fetish objects are used to protect the community against acts of sorcery, but they are also expected to prevent calamities, bad weather and famine.They used to be stored in a specific sanctuary located in the centre of the village and watched over by a guardian.

Provenance:
Presumably Marc Leo Felix.
Marc Franklin, San Francisco, USA.
Kevin Conru, Brussels.
Private Collection.

Published:
J. Willy Mestach, Etudes Songye: formes et symbolique, Galerie Jahn, Munich, 1985, p. 105.

€ 40 000 - 60 000

27

A Bembe shrine figure
Wood and pigments - 22,5 cm
R. Congo

Kalunga, hunting charm. Radical abstraction of a janus figure whose face is two coloured, red and white.

Provenance:
Galerie Pierre Dartevelle, Brussels.
Private Collection, Belgium.

€ 6000 - 8000

28

A Songye figure

Wood - 22 cm
D.R. Congo

Exceptionnal by its quality of carving, this *nkisi* figure from the second tradition can be related to a group of figures usually larger in size presenting common features: large mouth with a hole in the middle of the teeth, wide nose, deep forehead ending with an elaborate coiffure, bearded chin. Nothing in the body has been left to chance, the carving is nervous and precise. The mastery and the quality of the subject made this object a peak of this Songye tradition.

Provenance:
Alain Guisson, Brussels.
Private Collection, Switzerland.

€ 20 000 - 30 000

29

A Kuba cup
Wood - 23 cm
D.R. Congo

Mbbwoong imabaang, cup in the shape of a head dedicated to drink palm wine. The face with finely carved features, wide temples, z-shaped coiffure. Anthropomorphic kuba cups such as this were used as prestige items and markers of status during gatherings. Shiny patina from red to dark brown.

Provenance:
Jean-Pierre Lepage, Brussels.
Private Collection, Belgium.

€ 2000 - 3000

30

A Chokwe tobacco mortar

Wood - 15,5 cm
Angola

Adorable mortar composed of a cup with a lid supported by a very strong and abstract character.

Provenance:
Lucien Van De Velde, Antwerp.
Private Collection, Belgium.

€ 3000 - 5000

31

A Uele staff

Wood and brass nails - 130,5 cm
D.R. Congo

Nice staff from the Uele area covered by brass nails depicting geometric patterns. Beautiful patina of use.

Provenance:
Collected by the second lieutenant of artillery Karl Helmer Lindell during his stay in Congo for the Public Force in 1917.

€ 800 - 1200

32

A Zande harp

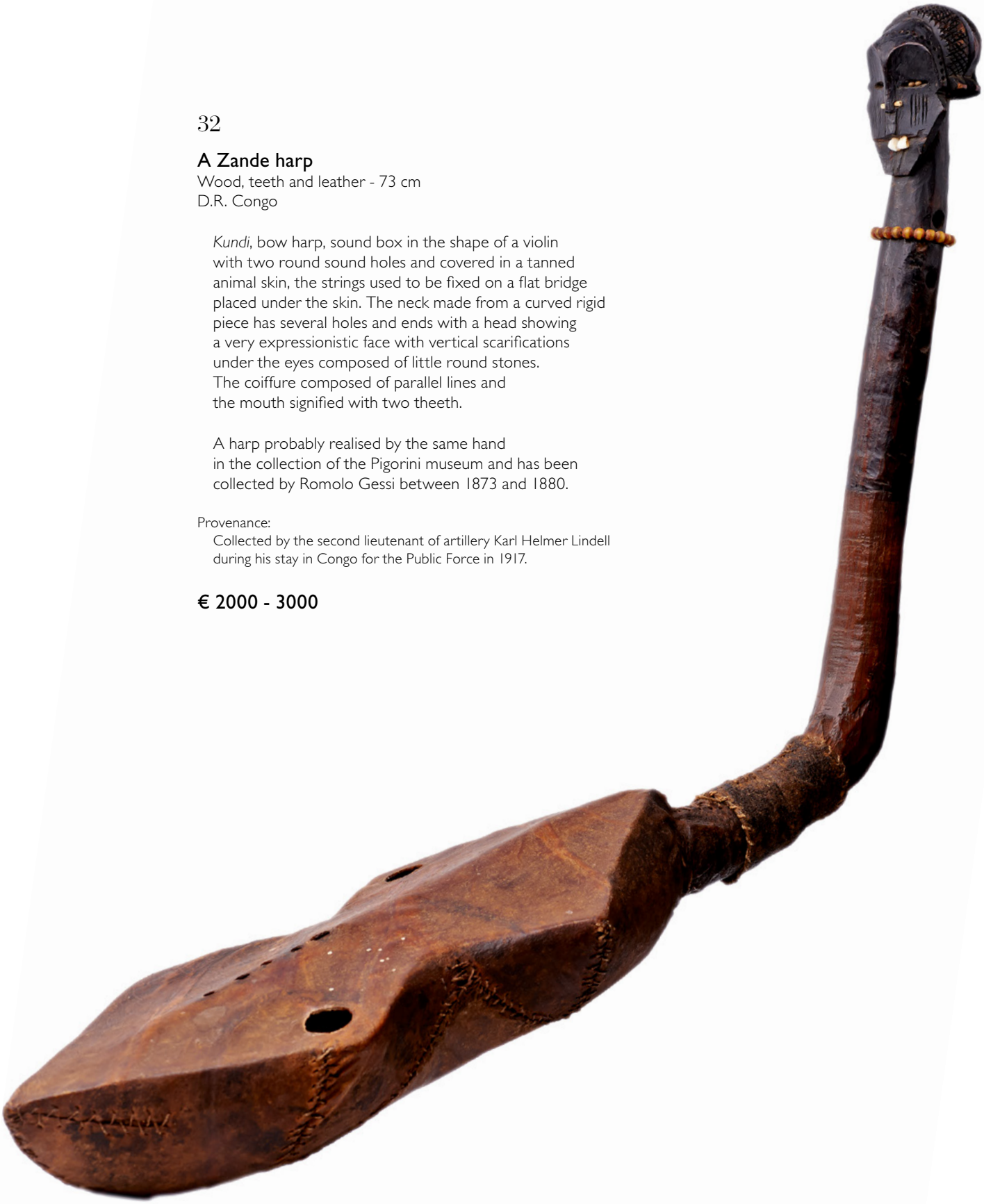
Wood, teeth and leather - 73 cm
D.R. Congo

Kundi, bow harp, sound box in the shape of a violin with two round sound holes and covered in a tanned animal skin, the strings used to be fixed on a flat bridge placed under the skin. The neck made from a curved rigid piece has several holes and ends with a head showing a very expressionistic face with vertical scarifications under the eyes composed of little round stones. The coiffure composed of parallel lines and the mouth signified with two theeth.

A harp probably realised by the same hand in the collection of the Pigorini museum and has been collected by Romolo Gessi between 1873 and 1880.

Provenance:
Collected by the second lieutenant of artillery Karl Helmer Lindell during his stay in Congo for the Public Force in 1917.

€ 2000 - 3000



33

A Mangbetu knife

Ivory and metal - 23 cm
D.R. Congo

Classical blade topped by an antropomorphic handle carved in ivory.

Provenance:
Acquired in Belgium.
Private Collection, Switzerland.

€ 1200 - 1500

34

A Ngombe shield

Wood and pigments - 141 cm
D.R. Congo

Decorated with abstract colourful paintings.

Provenance:
Patrick Claes in the 1970's.
Private Collection, Brussels.

€ 2000 - 3000

35

A Mbanza figure
Wood and metal - 32,5 cm
D.R. Congo

Rare figure with the typical multifaceted face. Large chest supported by stylized legs.

Provenance:
Congo-Gallery, Marc Léo Félix, Brussels.
Private Collection, Belgium.

€ 3000 - 5000

36

A Makonde Stopper

Wood and horn - 19 cm
Mozambique

Mtete, stopper topped by a very expressive head closing the container made of a horn. The head covered by two large horns presents the classical scarifications of the Makonde people. The large open mouth is pierced by an aluminium labret. Powerful and very expressive object.

Provenance:
Rui Vasquez, Cascais, Portugal.

€ 4000 - 6000

37

A Makonde stopper

Wood - 14,5 cm
Mozambique

Mtete, rare stopper composed of a half-figure closing the container made of a case of cartridge. The head presents the classical scarifications of the Makonde people. The superior lip is oversized by a labret, the hands rest on the belly. Each ear is ornamented by four rings of beads. The skull cap is poker-worked. Dark and shiny patina. With the Robert Rubin stopper, this object is among the greatest full body stopper ever appeared on the market.

Provenance:
Antonio Silva collection, Portugal.
Rui Vasquez, Cascais, Portugal.

€ 4000 - 6000

38

A Makonde stopper

Wood and nails - 7 cm
Mozambique

Mtete, cephalomorphic stopper showing remarkable scarifications and very noble sight. The generous lip, reminding the greatest lipiko masks, is surmounted by a piece of aluminium as labret.

Provenance:
Private Collection, South Africa.

€ 3000 - 5000

39

A Kwere doll

Wood - 7 cm
Tanzania

Beautiful miniature with great proportions given particularly by the disk-shaped coiffure.

Provenance:
David Serra, Barcelona.
Private Collection, Switzerland

€ 800 - 1200

40

A Masai Armlet

Horn and copper - 33,5 cm
Kenya

Errap, victorious of a battle, a man is allowed to wear this beautiful adornment made out of zebu horn. This singular shape is enhanced by the long extremities covered by copper wire

Provenance:
Acquired from Udo Horstmann.
Private Collection, Switzerland.

€ 2000 - 3000

41

An Amarro shield

Buffalo skin - 70 cm
Ethiopia

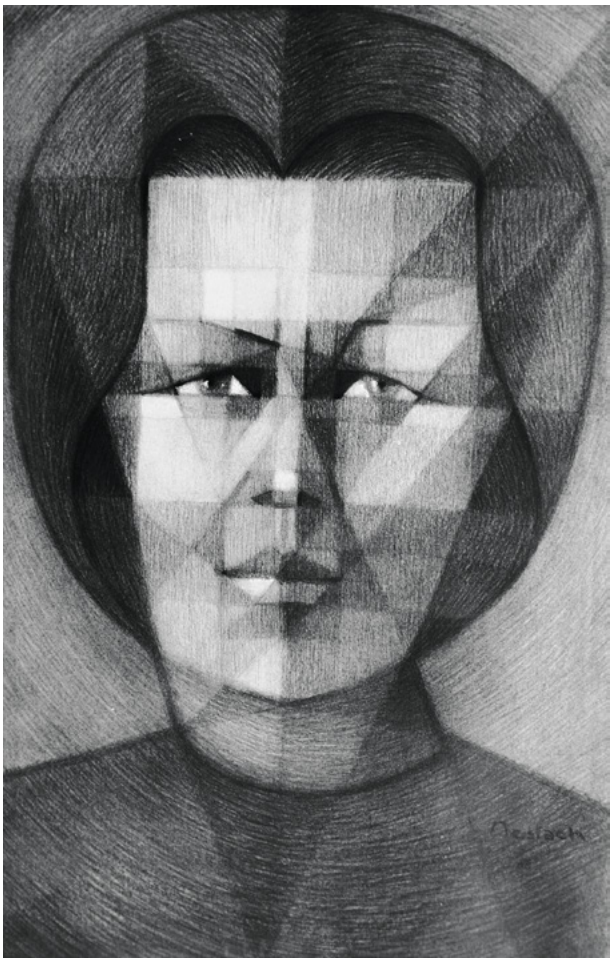
Made of common
Hippopotamus skin.

Provenance:
Private Collection, Switzerland.

€ 1500 - 2000

The Seret collection

The Sablon in the mid-20th century was a small world where everybody knows each other and where curiosity was regarded with esteem.
Mrs Andrée-Laure Seret (1931 – 2014) was an antique dealer in furniture and porcelaine. Like a lot of antique dealers, she had her « jardin secret » connected with the preoccupation of her time.
The meeting with the Belgian artist and well-know collector, Willy Mestach, in the 1960's, opened her to a new world of curiosity.
He gave her a way trough the traditionnal arts and advised her in differents acquisitions, from the sensitivity of Ivory Coast to the abstract research of Nigerian artists and, of course, the magical intesity of Congo. Willy Mestach guided Mrs Seret in his concerns and shared some of his conclusions. Her portrait was her contribution to his path and the echo of their common curisosity.



A portrait of Andrée-Laure Seret by Willy Mestach in the early 1970's.

42

A Mossi doll

Wood and leather - 32 cm
Burkina Faso

Fertility figure. Rare abstract figure entirely covered by leather.

Provenance:
Willy Mestach, Brussels
Andrée-Laure Seret Collection, acquired in July 1974.

€ 800 - 1200

43

A Dan-Mano mask

Wood - 21,5 cm
Liberia

Slitted eyes. Nail and several layers of holes on the forehead. Remains of a strip of koalin around the eyes.

Provenance:
Andrée-Laure Seret Collection, acquired in the early 70's.

€ 3000 - 5000

44

A Baule Sakassou figure

Wood - 43 cm
Ivory coast

This figure belongs to this highly recognizable group of objects that has been attributed to the circle of Baule of the 19th century called the Nzipri Circle by Susan Vogel (1999, 51). The 'Masters of Sakassou' has also been suggested by Bernard de Grunne (2001, 67)

The objets are "characterized by a long, supple line, the body having a soft, rounded belly, the face concave and heart-shaped with large round eyes, (…)
The idiosyncratic treatment of the lower leg is an easily recognized trait: the ankle is usually behind the center of gravity, well behind the knee, and the ankles are small, pulled close together, giving the figure tension and a sort of lift off the high, tight, deeply ribbed base."
(Vogel, 1999)

The presented figure shares some features with a referenced figure that diffenciate them from the rest of the corpus. The rising shoulders, the shoulder blades, the thinness of the the elongated body aswell as the treatment of the face and the hands are characetistics that can be found in the Baule figure coming from the collection of Max Itzikovitch that is illustrated on the page 78, number 19 in 'Masterhands'

Provenance:
Lucien Van De Velde, Antwerp.
Willy Mestach, Brussels.
Andrée-Laure Seret Collection,
acquired in June 1973.

€ 15 000 - 20 000

45

An Akan doll

Wood - 32 cm
Ghana

Fertility figure. Great age and patina.

Provenance:
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in the early 70's.

€ 1000 - 1500

46

A Mumuye figure

Wood - 49 cm
Nigeria

Interesting figure where the chest and the flat arms share the same harmonious curve.

For a similar example, see 'Arts du Nigeria dans les collections privées françaises', p. 169, 2012.

Provenance:
Lucien Van de Velde, Antwerp.
Willy Mestach, Brussels
Andrée-Laure Seret Collection, acquired in 1972.

€ 4000 - 6000

47

A Pende mask

Wood - 26 cm
D.R. Congo

Panya-Ngombe, large Pende mask. Diamond-shaped face with a bulging forehead. Used as architectural setting.

Provenance:
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in October 1973.

€ 1500 - 2000

48

A Hungana staff

Wood - 138 cm
D.R. Congo

Rare staff showing a character topped by an other one with a crested coiffure. Each character stands in a typical position of the *hungana* people. Late 19th century.

Provenance:
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in 1975.

€ 3000 - 5000

49

A couple of Luba figures

Wood - 40 and 35 cm
D.R. Congo

Male and female. The apparently crude carving give space to a great inventivity. The carver wasn't interested in naturalism but searched new ways of stylisation.

Provenance:
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in the early 70's.

€ 2000 - 3000

50

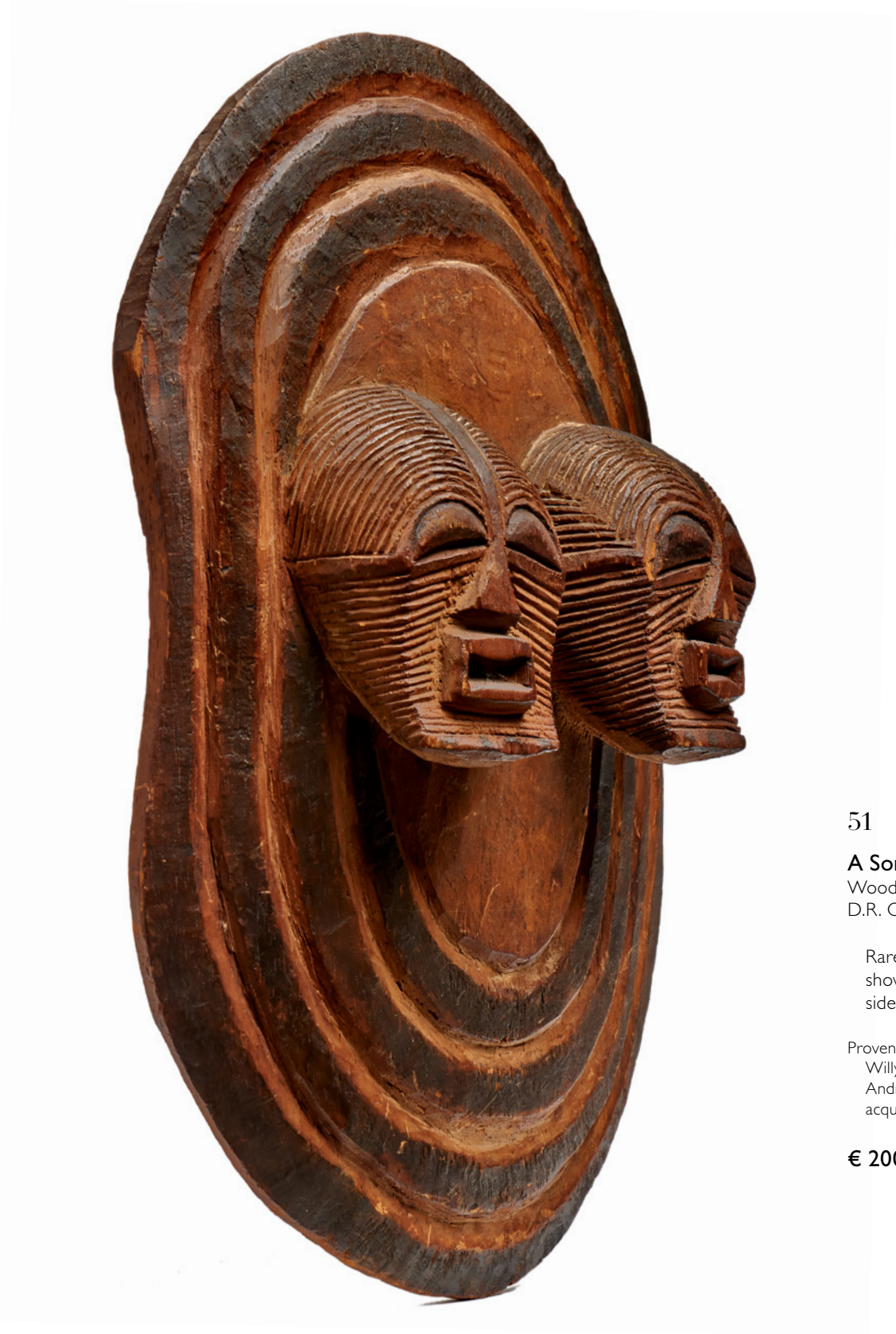
A Songye mask

Wood and fibers - 67 cm
D.R. Congo

Kifwebe, rare exemplar combining the rigour of the execution, the demand of the shape and the research of the graphic patterns to produce an inspiring, powerful and harmonious work of art. This is probably the object that illustrates the most the relationship between Mrs. Seret and Willy Mestach. Expressing the artistic preoccupation of Mestach between contemporary art and the african art, the Kifwebe mask arrives in the developement of the collection of Mrs Seret like an acknowledgement of maturity.

Provenance:
Willy Mestach, Brussels
Andrée-Laure Seret Collection, acquired in 1972.

€ 20 000 - 30 000



51

A Songye Shield
Wood - 47 cm
D.R. Congo

Rare, not to say unique, shield showing two *kifwebe* masks side by side on a concentric pattern.

Provenance:
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in the early 70's.

€ 2000 - 3000

52

A Songye mask

Wood - 38 cm
D.R. Congo

Kifwebe, female mask, protruding mouth ending with a butterfly-shaped opening, large black almond-shaped eyes. Large forehead covered by parallel engraved lines filled with white pigments.

It used to appear at various ceremonies, with the function of a security force or for warding off enemies in cases of war.

Provenance:
Willy Mestach, Brussels
Andrée-Laure Seret Collection, acquired in the May 1974.

€ 8000 - 12000

53

A Chokwe figure

Wood - 26 cm
Angola

Gentle male figure, large eyes and poker-worked mouth of the Chokwe.

Provenance:
Lucien Van de Velde, Antwerp.
Willy Mestach, Brussels.
Andrée-Laure Seret Collection, acquired in September 1973.

€ 1500 - 2000

54

A Chokwe Headrest

Wood - 24 cm
Angola

Abstract patterns on the sides.

Provenance:
Acquired in the early 70's.

€ 300 - 500

55

A Lega figure

Wood - 25 cm
D.R. Congo

Rare wooden figure composed of an abstract heart-shaped head without face surmounting a conical body. Transposed from some idimu masks without eyes, this rare feature illustrates the lega proverb: 'the chief of the house of the men, the guardian, doesn't have eyes' meaning that the high ranking member of the Bwami society doesn't see with his eyes but with his heart and takes care of the community (Gros de Beler, p. 187, 2013). Reddish patina and remains of kaolin.

This figure represents all the expectations that could be formulated about the art of the Lega: radical in its fulfilment, an apparent simplicity of means but a touching universality.

Provenance:
Jean-Pierre Lepage, Brussels.
Andrée-Laure Seret Collection, acquired in 1972.

€ 10000 - 15000

56

A possibly Senufo seat

Wood - 65 cm
Ivory Coast

Large pyrographed canine figure that might have been used as a headrest.

€ 1500 - 2000

End of the collection

A Belgian private collection

57

A Dan mask
Wood - 25,5 cm
Liberia

Defined by a clear shape and geometric features, this mask reveals the powerful expressionistic nature of the southern dan works enhanced by cylindric eyes and a ridge on the forehead.

Provenance:
Private Collection, Belgium.

€ 7000 - 9000

58

A Namji doll

Wood, cauwries and glass beads - 37,5 cm
Cameroon

Wooden fertility doll carved with high geometric features and adorned with multi-colored bead necklaces, cowries shells, currancies and fibers. Held by young Namji girls to play and to ensure their fertily. Carved from reddish hardwood, strapped to the back the way real infants are toted around. Very nice patina of use.

Provenance:
Private Collection, Belgium.

€ 3000 - 5000

59

A Baule monkey figure

Wood, and fibers - 68 cm
Ivory coast

Gbekre, standing on bent legs, long arms presenting a bowl towards the front. The torso presenting the head prolonged by the face, open mouth. A crest running from the nose to the back of the neck. Some losse due the erosion. Thick crusted patina.

The Baule monkey is the embodiement of a spirit whose function is to protect the group and to ensure divination (A.-M. Boyer, Baule, 2008, 5 Continents). They are usually hidden in the village and are brought to the bush for their use. The blood of the sacrifice of a rooster has the effect to regenerate the spirit. The bowl receives offerings of eggs and food. The prolonged use and the importane of the object is illustrated by the thickness of the patina, witness of abundant libations and the great age of the object.

Provenance:
Galerie Ratton-Hourdé, Paris.
Private Collection, Belgium

Published :
Magie Noire, Galerie Ratton-Hourdé, June 2009, p.12-13.

€ 10000 - 15000

60

A Yaka mask

Wood, pigments and various materials - 47 cm
D.R. Congo

Kholuka or *Mbala*, of extremely delicate features, classical hooked nose, half closed eyes. Coverd by colored pigments.
Nice and ancient patina of use.

Used in dances celebrating the emergence of young initiates from the Yaka circumcision camp. The initiates hold the masks when boys are ritually welcomed into the Yaka manhood.

Provenance:
Galerie Jean-Pierre Jernander, Brussels.
Private Collection, Belgium

€ 4000 - 6000

61

A Pende mask

Wood, fibers and pigments - 26 cm
D.R. Congo

Mbuya, classically crafted mask with upturned nose, with a fine inward expression illustrated by the continuous eyebrow line covering the half-closed eyelids, poker-work scarifications marks, and white pigments.

This specimen is particularly remarkable for its soft features and very seren expression.

Provenance:
Constant Permeke (1886-1952) Collection.
Private Collection, Belgium

€ 6000 - 8000

62

A Kongo-Yombe power figure

Wood, mirror and various material - 28,5 cm
D.R. Congo

Nkisi nduda, beautiful standing figure with the head slightly inclined with domed coiffure, its face approaching a certain naturalism. The eyes are enhanced with pieces of glass covering the pupils

The abdomen bears a magic charge on which a mirror has been fixed with resin. These figures, magically charged, grant its owner protection thanks to the artifacts they carry. Thick black patina.

Provenance:
Galerie Philippe Laeremans, Brussels.
Galerie Didier Claes, Brussels.
Private Collection, Belgium.

€ 30000 - 40000

63

A Luba knife

Wood and metal - 38,5 cm
D.R. Congo

The handle as a ringed neck supporting a head with fine human features, brass nails on the poker-work hairdo. Honey patina

Provenance:
Edouard d'Orjo de Marchovelette (1901 Gemmenick - +/-1985 Bruxelles)
Galerie Didier Claes, Brussels.
Private Collection, Belgium

€ 2000 - 3000

64

A Luba pendant

Ivory - 9 cm
D.R. Congo

Mikisi mihasi, delicate ivory pendant depicting an female character holding her breasts. The carving of the eyes, if very synthetic, shows the introspective features of the Luba people, the leaning head supported by a ringed neck and the large eyes.

Provenance:
Private Collection, Belgium.

€ 8000 - 12000

65

A Hemba Janus Knife

Wood and metal - 36,5 cm
D.R. Congo

The butt of the handle carved as a janus head joining on the top by a shared hairdo. Wooden sheath. Fine aged and reddish patina.

Provenance:
Private Collection, Belgium.

€ 3000 - 5000

66

A Hemba ancestor figure

Wood - 64 cm
D.R. Congo

Standing firmly on a round base, shoulders brought forward and hands resting on the stomach.
The face is framed the characteric chinstrap beard, almond-shaped eyes, mouth corners raised slightly, the long thin nose dividing at the top into high arched eyebrows. Carefully designed coiffure made up of four braids projecting backward. Ancient and deep patina.

Provenance:
Private Collection, Belgium.

€ 8000 - 12000

67

A Ngbaka figure

Wood and pigments - 22,5 cm
D.R. Congo

Ubangian figure standing on two short legs, arms along the cylindrical body, hexagonal face, a notched line running from the forehead down to the bridge of the nose showing the traditional scarification marks of the *Ngbaka* people, red pigments on the stomach.

Provenance:
Ex Julius Carlebach, New York, before 1964.
Private Collection, Belgium.

€ 7000 - 10000

68

A Lega mask

Ivory - 17,5 cm
D.R. Congo

Lukungu mask, used during the Bwami Society initiation rite, the masks refer to ancestors and are passed from one generation of initiates to the next as symbols of continuity. The dotted-circle motifs represent body markings, which enhance both the carvings and the characters they depict. Varied honey brown patina.

Provenance:
Acquired from Benoît Rousseau, Belgium.
Private Collection, Belgium.

€ 20 000 - 30 000

69

A Ngombe knife

Wood and metal - 53 cm
D.R. Congo

Ngulu, execution knife used for ceremonial decaptitation. The blade is very elaborately forged, with typical scallops to assist the bearer to carry the blade on the shoulder.

Provenance:
Patrick Mestdagh, Brussels.
Private Collection, Belgium

€ 1000 - 1500

70

A Nzombo Lobala knife

Wood and metal - 54,5 cm
D.R. Congo

Double Ngulu prestige knife.

Provenance:
Patrick Mestdagh, Brussels.
Private Collection, Belgium

€ 1000 - 1500

Oceania

71

A Toraja head

Wood - 40 cm
South Sulawesi, Indonesia

Large solemn face presenting thinely carved features.

Provenance:
Private Collection, Switzerland.

€ 3000 - 4000

72

An rare Iban mask

Wood - 30,5 cm
Borneo

Very ancient mask used by the shaman during embodiement ceremonies to ask the help of the gods.

Provenance:
Alain Schoffel, Paris.
Tom Jaffe, New York.
Belgian private collection.

€ 10 000 - 15 000

73

A Nias figure
Wood - 31 cm
Sumatra, Indonesia

Adu zatua, charming standing figure.

Provenance:
Private Collection, The Netherlands.

€ 2000 - 3000

74

A Sentani gourd

Wood and calabash - 31 cm
Papua New Guinea

Lagenaria gourd decorated with pokerwork motifs, the pear-shaped callabash and the geomitric finial spatula are for women use only.

Provenance:
Collected in situ and brought back in The Netherlands in 1951

€ 400 - 600

75

Two Sentani ceremonial paddles
Wood - 107 cm
Papua New Guinea

Ceremonial paddles used by women, decorated with the classical geometrical sentani lake patterns.

Provenance:
Collected in situ and brought back in The Netherlands in 1951

€ 600 - 800

76

A Sentani supension hook

Wood - 36,5 cm
Papua New Guinea

Beautifully shaped, carved from hardwood, incesed spiral patterns, characteristic surface decorations in art of the Lake Sentani People.

The soulders bear spike from wich bags of food were hung out of reach of animals. Topped by a hole for suspension. Superb aged patina of use.

Provenance:
Collected in situ and brought back in The Netherlands in 1951.

€ 3000 - 5000

77

A Sentani ceremonial axe
Wood and stone - 68 cm
Papua New Guinea

Decorated with the sentani lake patterns. Nice patina of use.

Provenance:
Collected in situ and brought back in The Netherlands in 1951

€ 800 - 1000

78

A Sentani plate

Wood and pigments - 68 cm
Papua New Guinea

Flat wooden oval dish for serving meat or fish. Socket extension in the shape of a stylized animal, probably a turtle. The back is fully covered by deeply engraved ornamental motifs. Traces of red pigments, balck and shiny patina on the reliefs.

Provenance:
Collected in situ and brought back in The Netherlands in 1951

€ 1000 - 1500

79

An Asmat shield

Wood - 190 cm
Papua New Guinea

Large shield covered by abstract patterns and topped by a figure.

Provenance:
Collected in 1949 around Kepi and Midiptana by the Brothers of the Congregation of our Lady of Seven Sorrows.

€ 2000 - 3000

80

An Asmat shield

Wood - 129 cm
Papua New Guinea

Old shield decorated with geometric patterns. Stone carved. Citak area.

Provenance:
Collected in 1949 around Kepi and Midiptana by the Brothers of the Congregation of our Lady of Seven Sorrows.

€ 2500 - 3500

81

An Asmat food bowl

Wood - 156 cm
Papua New Guinea

Large and elongated ceremonial bowl covered by geometrical patterns and presenting a large figure at each end. The open-work figures are surrounded by several stylized birds.

Provenance:
Collected in 1949 around Kepi and Midiptana by the Brothers of the Congregation of our Lady of Seven Sorrows.

€ 1500 - 2000

82

A latmul suspension hook

Wood and cauwries - 65 cm
Papua New Guinea

Samban, decorated double hook surmounted by a powerful character with large shoulders, beautiful concentric patterns on the chest, the belly and the buttocks. The face shows the strong features of the latmul art: hooked nose with large nostrills, prominent archs of the eyebrows and eyes made of cawries. Deep black patina partialy crusted.

Provenance:
Old German Collection, label on the back.
Private Collection, The Netherlands.

€ 4000 - 6000

83

A Kumete bowl

Wood - 99,5 cm
Tonga

Kumete, The oldest ones are thin walled with a shallow bowl and a carved lip that flares outward in a graceful curve.

€ 4000 - 6000

84

A Tonga headrest

Wood and mother of pearl - 48,5 cm
Tonga

Kali Hahapo, of classic shape, cut from one piece of wood incrusted with two triangle and one rectangle of mother o pearl.

€ 3000 - 5000

85

A Tonga pendant

Whale tooth and fibers - 15 cm
Tonga

Tabua, large whale tooth attached by a knitted organic cord.

€ 1000 - 1500

CONDITIONS OF SALE – NATIVE SPRL

Taking part in auctions constitutes unconditional acceptance of these Conditions of Sale.

1. Auctions and state of the objects

a) The objects at auction are put up for auction by Native on behalf and in the name of the person who has deposited them ("Vendor").

Adjudication is made in favour of the highest bidder in Euros acknowledged by Native at the time of the auction ("Buyer") and the Sales Contract between the depositor and the Buyer is concluded by this adjudication.

The object being sold is released to the Buyer only against payment in cash or bank transfer. To be accepted as means of payment, cheques must be cleared by the bank on which they are drawn before the object auctioned can be released.

b) Objects are put in the auction in the state in which they are found at the time of the auction. Subject to point 1c. below, any guarantee for material damage or legal damages is excluded.

The objects are on display during the event. The descriptions shown in catalogues, advertisements, brochures or any other article or document issued by Native are given purely by way of illustration. They in no way commit the liability of Native. Consequently, Native guarantees neither the accuracy of the explanatory notes contained in the catalogue, nor the origin, date, age, cultural background or provenance of the objects put up for auction. It is the depositor who is solely liable for the explanatory notes in the catalogue. Native agrees to reproduce them in the catalogue only in its capacity as agent for the depositor.

c) Native freely states that it is prepared to cancel the auction on behalf of the depositor and refund only the hammer price, commission and VAT if an object sold should prove, within 1 year from the date of the auction, to be a modern intentional fake. By modern intentional fake is to be understood a reproduction which it can be proved has been made with the intention of falsely deceiving others whether in respect of origin, date, age, cultural background or source, without this having been shown in the catalogue.

The condition for this refund is that the Buyer send an immediate claim by registered letter to Native as soon as the defect has come to light and at the latest by 1 year from the date of the auction and that he immediately return the fake object in the same state as on the day of the auction and exempt of any third-party claim. The Buyer must provide proof that the object auctioned is a fake compared with the description in the catalogue and that the object is identical to the item auctioned. Any other claim by the Buyer is excluded.

d) Buyers must, at their own expense, come and collect the objects auctioned within 7 days from the end of the auction during opening times at Native, namely from Monday to Friday 10.00 to 13.00 and 14.00 to 17.30. If sufficient time is available, objects will be released after each session. In accordance with point 1, handover will be against payment in cash.

During the abovementioned period, Native is liable for the loss, theft, damage or destruction of the objects auctioned and paid for, although only up to the amount of the price of the auction, commission and VAT. On the expiry of this period, Native's liability ceases. If the objects auctioned are not withdrawn within 7 days, they will be stored at the expense and risk of the Buyer.

e) Each Buyer is personally responsible for the item awarded to him at auction. Proof of powers of attorney may be required from persons acting as third-party representatives or as an organ of a corporate body. The representative is jointly and severally liable with the person represented for meeting all commitments.

2. Hammer price, commission, risk transfer, ownership transfer, payment, invoicing, VAT, importing and exporting

a) In addition to the hammer price, the Buyer owes a supplement ("commission") on the hammer price. Commission is 20% of the hammer price.

The Buyer must also pay Belgian VAT (21%) calculated only on the commission.

For lots where the Vendor is a non-resident of the EU (lots indicated by ‡), the Buyer will pay an import tax of 6% in addition to the bid price plus legal costs. The amount of this tax will be reimbursed on presentation of proof of export outside the EEC.

b) Ownership of the object auctioned passes to the Buyer once the hammer has come down finally. Until full payment of the hammer price, commission and VAT, Native reserves a right of retention and lien on all objects in its keeping. The release of the auctioned object to the Buyer is not made until after full payment of the hammer price, commission and VAT.

c) An auctioned object must be paid for within 7 days after the auction. If the Buyer remains in default on payment 30 days after the auction, any sum due at that time will, as of right and without any formal notification being necessary, be subject to interest on arrears of 10% per annum. Moreover, in the event of non-payment by the final deadline, any sum due will be increased as of right by a flat-rate indemnity of 15%, without prejudice to Native's right to seek full reparation of the damage suffered. .

In addition, if the payment due by the Buyer does not take place or is not made in time, Native can, as it chooses and in the name of the depositor, either continue to demand that the sales contract be executed or, without being bound to set a fixed time, waive the right to require execution of the sales contract and claim damages for non-execution or even renounce the contract. The Buyer is liable in respect of Native and the depositor for all damages resulting from non-payment or late payment.

d) The exporting of any object from Belgium and the importing into a third country may be subject to particular authorisations. The Buyer is responsible for obtaining all necessary export or import licences. Refusal of these authorisations or any delays after they have been obtained will in no case be grounds for a cancellation of the sale or a delay in payment.

3. Registration and attendance at the Sale

a) The submission of a bid or an absentee bid unconditionally and irrevocably binds the bidder. The bidder remains bound to his offer until this becomes the subject of a higher bid or is rejected by Native. Double bids become the subject of an immediate new call to bid; in cases where there is doubt, the senior auctioneer decides the matter by drawing lots.

b) Bidders who are not personally known to Native are bound to give legitimate proof of identity before the beginning of the auction. Native reserves the right to request proof of the bidder's solvency. If this latter document is not available, Native is authorised to demand the immediate payment of a cash deposit equal to 10% of the auction price or the lodging of a guarantee. If this deposit is not paid or guarantee lodged, Native is authorised on behalf of the depositor to cancel the auction.

c) Native is free to reject a bid without giving reasons. Similarly, it is within its rights to hold an auction without selling or withdraw objects from the auction. Native reserves the right to refuse any person access to its commercial premises or forbid any person from taking part in one of its auctions.

d) Bids from interested parties who do not wish to attend the auction personally will be taken into consideration if they communicate such a wish in writing 24 hours before the start of the auction.

Interested persons can bid by telephone if they have not announced their wishes in writing at least 24 hours before the start of the auction. Native accepts bids by telephone for lots whose lowest estimate reaches at least €1,000.

Native disclaims all responsibility for offers which have not been taken into account as well as for bids made by telephone which may not have been taken into account.

The rules set down in point 3b in respect of providing proof of identity and solvency also apply to persons bidding by telephone or in writing. For bidders who place their offer via the Internet, in other words an absentee bid, point 3b applies only in respect of solvency.

4. Miscellaneous

The auction is held under the joint authority of a huissier de justice (Court Justice). Any liability on the part of Native arising from acts attributable to the huissier involved is excluded.

b) The foregoing stipulations are an integral part of each individual sales contract concluded at sales by auction. Amendments to them are in no way binding unless Native has given its agreement to them in writing.

c) Any dispute on the validity, interpretation and execution of these Conditions of Sale and any dispute on the conducting of the auctions will be subject to Belgian law, with the exception of (a) the stipulations of the Vienna Convention on international sales contracts and (b) the rules of referral to Belgian international private law.

d) Only the courts and tribunals of Brussels are competent to rule on any disputes.

CONDITIONS DE VENTE – NATIVE SPRL

La participation aux enchères emporte l'acceptation inconditionnelle aux présentes conditions de vente.

1. Enchères et état des objets

a) Les objets d'enchères sont mis aux enchères par Native pour le compte et au nom de celui qui les a déposés ("vendeur").

L'adjudication a lieu au plus offrant en Euros reconnu par Native lors de la vente aux enchères ("Acheteur"); le contrat de vente entre le déposant et l'Acheteur est conclu par cette adjudication.

L'objet de la vente n'est remis à l'Acheteur que contre un paiement en espèces ou transfert bancaire. Pour être admis comme moyens de paiement, les chèques doivent être confirmés par la banque tirée avant la délivrance de l'objet adjugé.

b) Les objets sont mis aux enchères dans l'état dans lequel ils se trouvent au moment de l'adjudication. Sous réserve du point 1c. ci-dessous, toute garantie pour dommages matériels ou juridiques est exclue.

Les objets sont visibles pendant l'exposition. Les descriptions figurant dans les catalogues, annonces, brochures ou tout autre écrit émanant de Native ne sont données qu'à titre purement indicatif. Elles n'engagent en aucun cas la responsabilité de Native. Par conséquent, cette dernière ne garantit ni l'exactitude des notices explicatives reprises dans le catalogue, ni l'origine, la date, l'âge, le cercle de culture ni la provenance des objets mis aux enchères. Les notices explicatives reprises dans le catalogue relèvent de la seule responsabilité du déposant. Native n'accepte de les reproduire dans le catalogue qu'en tant qu'intermédiaire de ce dernier.

c) Native se déclare librement disposée à annuler l'adjudication au nom du déposant et à rembourser uniquement le prix de l'adjudication, la commission et la TVA, si un objet vendu devait s'avérer, dans un délai de 1 an à compter de la date de l'adjudication, être le résultat d'un faux intentionnel moderne. Il faut entendre par faux intentionnel moderne une reproduction dont il est prouvable qu'elle a été faite dans l'intention de tromper fallacieusement autrui, que ce soit en ce qui concerne l'origine, la date, l'âge, le cercle de culture ou la source, sans que cela ressorte du catalogue.

La condition de ce remboursement est que l'Acheteur adresse une réclamation immédiate, sous pli recommandé adressé à Native, dès la découverte du vice et au plus tard dans un délai de 1 an à compter de la date de l'adjudication, et qu'il restitue immédiatement l'objet falsifié à Native dans le même état que le jour de l'adjudication et exempt de toute prétention de tiers. L'Acheteur doit fournir la preuve que l'objet adjugé est un faux par rapport à la description du catalogue et que l'objet est identique à la chose adjugée. Toute autre prétention de l'Acheteur est exclue.

d) Les Acheteurs doivent venir chercher, à leurs propres frais, les objets adjugés dans les 7 jours qui suivent la clôture de la vente aux enchères, pendant l'horaire d'ouverture de Native, soit du lundi au vendredi de 10h00 à 13h00 et de 14h00 à 17h30. Si le temps à disposition est suffisant, les objets seront délivrés après chaque séance. Conformément au point 1., la remise a lieu contre paiement en espèces.

Pendant le délai précité, Native est responsable de la perte, du vol, de l'endommagement ou de la destruction des objets adjugés et payés, à concurrence toutefois du montant du prix de l'adjudication, de la commission et de la TVA. À l'expiration de ce délai, la responsabilité de Native cesse. Si les objets adjugés ne sont pas retirés dans les 7 jours, ils seront entreposés aux frais et aux risques de l'Acheteur.

e) Chaque Acheteur répond personnellement de l'adjudication qui lui a été faite. La preuve de pouvoirs de représentation peut être exigée de personnes qui agissent comme représentants pour le compte de tiers ou comme organe d'une personne morale. Le représentant répond solidairement avec le représenté de l'accomplissement de tous les engagements.

2. Prix de l'adjudication, commission, transfert des risques, transfert de la propriété, paiement, facturation, TVA, importation et exportation

a) Outre le prix d'adjudication, l'Acheteur est débiteur d'un supplément ("commission") sur le prix d'adjudication. La commission est de 20% du prix d'adjudication.

L'Acheteur doit également s'acquitter de la TVA belge (21%) calculée uniquement sur la commission.

Pour les lots dont le vendeur est non-résident de l' E.U (lots signalés par ‡) l'adjudicataire paiera une taxe importation de 6% en sus de l'adjudication, plus les frais légaux. Le montant de cette taxe sera remboursé sur présentation de la preuve d'exportation hors CEE.

b) La propriété de l'objet adjugé passe à l'Acheteur dès l'adjudication. Jusqu'au complet paiement du prix de l'adjudication, de la commission et de la TVA, Native se réserve un droit de rétention et de gage sur tous les objets sous sa garde. La délivrance de l'objet adjugé à l'Acheteur n'intervient qu'après complet paiement du prix de l'adjudication, de la commission et de la TVA.

c) Un objet adjugé doit être payé dans les 7 jours dès la clôture de la vente aux enchères. Si l'Acheteur est resté en défaut de paiement 30 jours après l'adjudication, toute somme due à ce moment portera, de plein droit et sans mise en demeure préalable, un intérêt moratoire de 10% par an. En outre, en cas de non paiement à l'échéance, toute somme due sera majorée de plein droit d'une indemnité forfaitaire de 15%, sans préjudice du droit de Native de postuler la réparation intégrale du dommage subi.

En outre, si le paiement dû par l'Acheteur n'a pas lieu ou n'intervient pas à temps, Native peut, à son choix et au nom du déposant, soit continuer à exiger l'exécution du contrat de vente, soit sans être tenu d'impartir un délai renoncer au droit de demander l'exécution du contrat et réclamer des dommages et intérêts pour cause d'inexécution ou encore se départir du contrat. L'Acheteur est responsable vis-à-vis de Native et du déposant de tous les dommages découlant du non-paiement ou du paiement tardif.

d) L'exportation de tout objet hors de la Belgique et l'importation dans un pays tiers peuvent être sujettes à des autorisations particulières. L'Acheteur est responsable de l'obtention de toutes les autorisations requises à l'exportation ou à l'importation. Le refus de ces autorisations, ou tous retards consécutifs à leur obtention, ne justifiera en aucun cas l'annulation de la vente ni un retard de paiement.

3. Enregistrement et participation à la vente

a) La remise d'une enchère ou d'un ordre d'achat 'absentee bid' lie inconditionnellement et irrévocablement l'enchérisseur. L'enchérisseur demeure lié à son offre jusqu'à ce que celle-ci fasse l'objet d'une surenchère ou qu'elle soit écartée par Native. Les enchères doubles font l'objet d'un nouvel appel immédiat; dans les cas douteux, la direction des enchères tranche par tirage au sort.

b) Les enchérisseurs qui ne sont pas personnellement connus de Native sont tenus de se légitimer avant le début de la vente aux enchères. Native se réserve le droit d'exiger une preuve de la solvabilité de l'enchérisseur. Si ce dernier document fait défaut, Native est habilitée à exiger le paiement immédiat d'un acompte en espèces équivalent à 10% de l'adjudication ou le dépôt d'une garantie. À défaut du versement de cet acompte ou du dépôt de cette garantie, Native est autorisée au nom du déposant à annuler l'adjudication.

c) Native est libre d'écarter une enchère sans indication des motifs. De même, elle est en droit d'adjuger sans vente ou de retirer des objets de la vente aux enchères. Native se réserve le droit de refuser à toute personne l'accès à ses locaux commerciaux ou d'interdire à toute personne de participer à l'une de ses ventes aux enchères.

d) Les offres d'enchères émanant d'intéressés qui ne souhaitent pas assister personnellement à la vente aux enchères seront prises en considération par écrit jusqu'à 24 heures avant le début de la vente aux enchères.

Les personnes intéressées peuvent enchérir par téléphone si elles se sont annoncées par écrit au minimum 24 heures avant le début des enchères. Native accepte les enchères par téléphone pour des lots dont l'estimation basse atteint au moins 1000 €.

Native décline toute responsabilité pour les offres n'ayant pas été prises en considération ainsi que pour les enchères téléphoniques qui n'auraient pas été prises en compte.

Les normes prévues au point 3b. concernant la légitimation et la preuve de la solvabilité s'appliquent également aux enchérisseurs par téléphone et par écrit. Pour les enchérisseurs, qui donnent leur offre via Internet dans le cadre d'un ordre d'achat (absentee bid), le point 3b. ne s'applique qu'en ce qui concerne la solvabilité.

4. Divers

a) La vente aux enchères se déroule sous l'autorité conjointe d'un huissier de justice. Toute responsabilité de Native du fait d'actes imputables à l'huissier instrumentant est exclue.

b) Les dispositions qui précèdent font intégralement partie de chaque contrat individuel de vente conclu à l'occasion des ventes aux enchères. Leurs modifications n'ont de portée obligatoire que si Native leur a donné son accord écrit.

c) Tout litige relatif à la validité, l'interprétation et l'exécution des présentes conditions de vente et tout litige relatif au déroulement des enchères sera soumis au droit belge, à l'exception (a) des dispositions de la Convention de Vienne concernant les contrats de vente internationale et (b) des règles de renvoi du droit international privé belge.

d) Seuls les cours et tribunaux de Bruxelles sont compétents pour connaître d'éventuels litiges.

VERKOOPVOORWAARDEN – NATIVE BVBA

Het deelnemen aan het opbod veronderstelt de onvoorwaardelijke aanvaarding van onderhavige voorwaarden.

1. Opbod en staat van de voorwerpen

a) De ter veiling aangeboden voorwerpen worden door Native geveild voor rekening en in naam van de persoon die ze hiervoor heeft afgeleverd ('verkoper').

De toewijzing gebeurt aan diegene die tijdens de veiling door Native als hoogste bieder in euro wordt erkend ('koper') en geldt als verkoopovereenkomst tussen de verkoper en de koper.

Het voorwerp van de verkoop wordt alleen aan de koper overhandigd tegen contante betaling of na bankoverschrijving. In geval van betaling per cheque dient de uitgeschreven cheque te worden bevestigd door de bank waarop hij getrokken wordt, alvorens het toegewezen voorwerp wordt overhandigd.

b) De voorwerpen worden geveild in de staat waarin zij zich op het moment van de veiling bevinden. Onder voorbehoud van hierna vermeld punt 1c. is elke garantie voor materiële of juridische schade uitgesloten.

De voorwerpen kunnen worden bezichtigd tijdens de tentoonstelling. De beschrijvingen in de catalogi, advertenties, brochures of andere geschriften afkomstig van Native hebben een louter indicatieve waarde en stellen Native geenszins aansprakelijk. Native biedt dus geen garantie met betrekking tot de juistheid van de beschrijvingen in de catalogus, de oorsprong, de datum, de leeftijd, de cultuur of de afkomst van de geveilde voorwerpen. Alleen de verkoper is aansprakelijk voor de in de catalogus opgenomen beschrijvingen. Native neemt deze beschrijvingen alleen in zijn catalogus op als tussenpersoon van de verkoper.

c) Native verklaart zich bereid om de verkoop in naam van de verkoper te annuleren en de hamerprijs, de commissie en de btw terug te betalen, indien binnen 1 jaar na de verkoopdatum zou blijken dat een verkocht voorwerp het resultaat is van een opzettelijke moderne vervalsing. Onder opzettelijke moderne vervalsing verstaan wij een reproductie waarvan bewezen kan worden dat zij is gemaakt met het opzet een ander te bedriegen, hetzij met betrekking tot de oorsprong, hetzij op het vlak van de datum, de leeftijd, de cultuur of de bron, zonder dat dit duidelijk uit de catalogus blijkt.

Voorwaarde voor deze terugbetaling is dat de koper onmiddellijk na de ontdekking van het gebrek en ten laatste binnen een termijn van 1 jaar te rekenen vanaf de datum van de verkoop aangetekend klacht bij Native indient, en dat hij het nagemaakte voorwerp onmiddellijk aan Native terugbezorgt in de staat waarin het zich op de dag van de verkoop bevond en vrij van elke aanspraak van derden. De koper moet het bewijs leveren dat het verkochte voorwerp een vervalsing is ten opzichte van de beschrijving in de catalogus en dat het voorwerp wel degelijk het verkochte voorwerp is. Elke andere vordering van de koper is uitgesloten.

d) De koper dient op eigen kosten en binnen een termijn van 7 dagen na het afsluiten van de veiling de gekochte stukken af te halen. Dit kan tijdens de openingsuren van Native: van maandag t/m vrijdag tussen 10.00 en 13.00 uur en tussen 14.00 en 17.30 uur. Indien er voldoende tijd is, worden de voorwerpen na elke zitting overhandigd. Zoals bepaald in punt 1, worden de voorwerpen overhandigd tegen contante betaling.

Tijdens de hierboven vermelde termijn is Native aansprakelijk voor verlies, diefstal, beschadiging of vernieling van de verkochte en betaalde goederen.
Deze aansprakelijkheid beperkt zich tot maximaal het bedrag van de verkoop, de commissie en de btw. Na deze termijn eindigt de aansprakelijkheid van Native. Indien de verkochte voorwerpen niet zijn afgehaald binnen een termijn van 7 dagen, worden zij bewaard op kosten en voor risico van de koper.

e) Elke koper staat persoonlijk in voor de verkoop die aan hem werd gedaan. Aan personen die handelen als vertegenwoordiger en voor rekening van derden of als een orgaan van een rechtspersoon, kan een bewijs van machtiging tot vertegenwoordiging worden geëist. De vertegenwoordiger is solidair verantwoordelijk met de vertegenwoordigde voor het naleven van alle verplichtingen.

2. Hamerprijs, commissie, risico-overdracht, eigendomsoverdracht, betaling, facturatie, btw, import en export

a) Naast de prijs van de verkoop is de koper ook een toeslag ('commissie') op de hamerprijs verschuldigd. De commissie bedraagt 20% van de hamerprijs.

De koper is eveneens de Belgische btw (21%) op de commissie verschuldigd.

Voor kavels waarvan de verkoper niet-ingezetene is van de E.U. (kavels aangeduid met ‡) betaalt de koper een invoertaks van 6% op de hamerprijs, plus de wettelijke kosten.

Het bedrag van deze taks wordt terugbetaald op vertoon van het bewijs van export buiten de E.E.G.

b) De eigendom van het verkochte voorwerp gaat over op de koper vanaf het ogenblik van de verkoop. Tot op het ogenblik van de volledige betaling van de hamerprijs, de commissie en de btw, kan Native pandrecht en retentierecht inroepen voor de stukken die het in bewaring heeft. Het overhandigen van het aan de koper verkochte voorwerp vindt pas plaats na volledige betaling van de hamerprijs, de commissie en de btw.

c) Een verkocht voorwerp moet binnen de 7 dagen na sluiting van de veiling betaald zijn. Indien de koper 30 dagen na de verkoop nalaat te betalen, worden alle bedragen die op dat ogenblik verschuldigd zijn van rechtswege en zonder voorafgaande ingebrekestelling verhoogd met een verwijlinterest van 10% per jaar. Bij niet-betaling op de vervaldag wordt elk verschuldigd bedrag bovendien van rechtswege verhoogd met een vaste vergoeding van 15%, ongeacht het recht van Native om de volledige vergoeding van de geleden schade te eisen.

Indien de door de koper verschuldigde betaling niet of niet tijdig plaatsvindt, kan Native bovendien naar eigen keuze en in naam van de verkoper hetzij de uitvoering van de verkoopovereenkomst eisen, hetzij - zonder daarom gehouden te zijn tot het toekennen van een termijn - afstand doen van het recht om uitvoering van de verkoopovereenkomst te eisen en schadevergoeding vragen voor niet-naleving van het contract, hetzij afzien van het contract. De koper is aansprakelijk ten opzichte van Native en de verkoper voor alle schade ingevolge niet-betaling of laattijdige betaling.

d) Voor export van een voorwerp buiten België en import in een ander land kunnen bijzondere vergunningen vereist zijn. De koper is verantwoordelijk voor het verkrijgen van alle vereiste export- of importvergunningen. Niet-toekenning of vertraging door de laattijdige toekenning van de nodige vergunning vormt geen geldige reden voor annulatie van de verkoop of uitstel van betaling.

3. Inschrijving en deelname aan de verkoop

a) Het uitbrengen van een bod of het doorgeven van een aankooporder 'absentee bid' is onvoorwaardelijk en onherroepelijk bindend voor de bieder.
De bieder blijft gebonden door zijn bod tot er een hoger bod gedaan wordt of het bod door Native verworpen wordt. In geval van een dubbel bod wordt onmiddellijk opnieuw afgeroepen; bij twijfel beslist de directie van de veiling door loting.

b) Bieders die niet persoonlijk bij Native bekend zijn, dienen zich bij aanvang van de veiling te legitimeren. Native behoudt zich het recht voor een bewijs van kredietwaardigheid van de bieder te vragen. Indien dit document niet kan worden voorgelegd, is Native gemachtigd onmiddellijk betaling van een contant voorschot van 10% van de toewijzing of een borg te eisen. Bij afwezigheid van voorschot of borg is Native gemachtigd om de verkoop in naam van de verkoper te annuleren.

c) Native mag naar eigen inzicht een bod verwerpen zonder verklaring van zijn beslissing. Bovendien heeft Native het recht om voorwerpen te gunnen zonder verkoop of uit de veiling terug te trekken. Native behoudt zich het recht voor aan personen toegang tot de handelslokalen of deelname aan de veiling te weigeren.

d) Personen die niet persoonlijk aan de veiling wensen deel te nemen, kunnen hun bod schriftelijk uitbrengen tot 24 uur voor de aanvang van de veiling.

Ook telefonisch bieden is mogelijk, indien de telefonische bieder zich ten minste 24 uur voor de aanvang van de veiling schriftelijk heeft aangemeld. Native aanvaardt telefonische biedingen voor kavels waarvan de waarde op minstens 1000 euro is geschat.

Native weigert elke aansprakelijkheid voor biedingen die niet in aanmerking zijn genomen of indien geen rekening werd gehouden met een telefonisch bod.

De criteria vermeld in punt 3b met betrekking tot de legitimatie en het bewijs van kredietwaardigheid zijn ook van toepassing voor personen die hun bod per telefoon of schriftelijk uitbrengen. Voor bieders die hun bod via de website uitbrengen in het kader van een aankooporder (absentee bid), geldt alleen de vermelding in punt 3b met betrekking tot de kredietwaardigheid.

4. Varia

a) De veiling vindt plaats onder medetoezicht van een deurwaarder. Native weigert elke aansprakelijkheid met betrekking tot daden die toe te schrijven zijn aan de instrumenterende deurwaarder.

b) Voormelde bepalingen maken integraal deel uit van elk individueel verkoopcontract dat ter gelegenheid van een veiling gesloten wordt. Wijzigingen aan deze voorwaarden zijn slechts bindend indien Native zich hiermee schriftelijk akkoord heeft verklaard.

c) Voor geschillen over de geldigheid, interpretatie en uitvoering van onderhavige verkoopvoorwaarden en het verloop van de veiling, is het Belgische recht van toepassing, met uitzondering van (a) de bepalingen van de Conventie van Wenen met betrekking tot internationale verkoopovereenkomsten en (b) de regels die verwijzen naar het Belgische Internationale Privaatrecht.

d) In geval van geschil zijn alleen de rechtbanken van Brussel bevoegd.

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